

CHAPTER 3

ANNOUNCEMENT AND SELECTION

3-1. Principles.

a. Public announcements for A-E services will reflect the minimum needs of the Government, not arbitrarily restrict eligible firms, and describe the work required and selection criteria in sufficient detail to facilitate a meaningful selection of the most highly qualified firm.

b. Public announcements for A-E services will be fully coordinated among all pertinent functional staff elements.

c. A-E selections will be conducted in a fair, rational and consistent manner, in strict accordance with the announced selection criteria, and in compliance with FAR 36.602 and its supplements.

d. A-E firms will be promptly notified of their selection status and offered a meaningful debriefing on the evaluation of their qualification submission.

3-2. General. The guidance and procedures in paragraphs 3-4 through 3-14 generally apply to all contracts for A-E services, except as otherwise noted in paragraph 3-15 for the following special cases: contracts not expected to exceed the SAT; nonappropriated fund (NAF) projects; contracting with the SBA under the 8(a) Program; unusual and compelling urgency; work outside the United States; medical facilities; design competition; and, the advance selection process.

3-3. Responsibilities.

a. The Chief of Engineering in each operating command is responsible for the A-E selection process, including the technical content of CBD synopses for A-E services (including those prepared by other functional elements), the conduct of A-E evaluation (preselection and selection) boards, participation by customers in evaluation boards, and liaison with the A-E community.

b. The Chief of Contracting in each operating command is responsible for the procurement-related content of CBD synopses for A-E services, and for general oversight of the A-E selection process to ensure regulatory compliance.

c. Commanders may appoint qualified professional personnel, by name and/or position, to:

(1) Serve as chairpersons and alternate chairpersons of A-E preselection and selection boards.

(2) Approve A-E selections consistent with delegated authorities (EFARS 36.602-4(a)).

d. Commanders may designate qualified professional personnel, by name and/or position, who are eligible to serve as voting members of A-E preselection and selection boards, as authorized by EFARS 36.602-2(a). Alternatively, commanders may establish appropriate qualifications for voting board members and delegate authority to the Chief of Engineering to designate specific personnel who satisfy those qualifications as voting board members.

e. Commanders of Major Subordinate Commands (MSC) are responsible for quality assurance of the A-E selection process in their subordinate districts. This can be done through the approval of selections for large or highly visible projects, evaluation of district standard operating procedures for selections, random review of completed selection reports, or observing, participating in district selection boards, and/or other appropriate means.

3-4. CBD Synopsis.

a. Regulatory Requirements. In accordance with FAR 5.203(d), 5.205(d), and 36.601-1, all requirements for A-E services expected to exceed \$25,000 shall be synopsisized in the CBD, except when properly waived in accordance with FAR 5.202. A response period of at least 30 calendar days shall be allowed for contracts expected to exceed the SAT.

b. Authority to Synopsize. A synopsis for an A-E contract, which has the equivalent effect as a solicitation for other types of contracts, should not be issued unless the Government has a definite intention to award a contract. Proper authorization from higher authority or a customer and adequate funding should be received prior to synopsisizing.

However, for high priority requirements, a synopsis may be issued prior to receiving formal authorization and/or funding when there is a high probability that the requirement will not be canceled and the synopsis indicates that funds are not presently available for the contract (AFARS 1.602-2(a)(ii)).

c. Format. Instructions and the format for preparing CBD synopses are given in FAR 5.207 and DFARS 205.207. Appendix J provides supplemental instructions for USACE synopses for A-E services. Appendix K is an example synopsis for a FFP contract. Appendix L is an example synopsis for an ID contract.

d. Content. A synopsis will describe the contract, project and required services, selection criteria, and submission instructions. The synopsis will describe the specific work required in sufficient detail to facilitate a meaningful selection of the most highly qualified firm. (See paragraph 3-1.a.) The relative importance of all selection criteria must be clearly stated. Do not include criteria that are not directly related to project requirements or that unnecessarily restrict competition, such as:

(1) specifying the minimum number of personnel in a firm;

(2) specifying non-essential or secondary disciplines;

(3) specifying disciplines, capabilities or a percentage of work (except the prime firm in a small business set-aside) that must be performed "in-house";

(4) requiring certification of personnel by a private organization¹;

(5) requiring metric design experience²;

(6) restricting firms to a specific geographic area;

(7) specifying how the services should be performed (instead, describe the needed end products);

(8) requiring the submission of any cost-related data;

(9) requiring the submission of excessive qualification information;

(10) restricting a firm from being considered due to having another current contract with the same contracting office; or,

(11) requiring a security clearance to be considered for selection (however, eligibility for a clearance, such as U.S. citizenship, may be required).

e. Review and Transmittal. A synopsis will be prepared by appropriate technical and contracting personnel, and be fully staffed, including the DSB (see paragraphs 2-5 and 3-1.b). Obtain legal review of a synopsis for a complex or unusual contract. Except when justified under urgent circumstances, special contracting approvals (such as approval of a formal acquisition plan or waiver of standard ID contract limits) will be obtained prior to synopsising. Synopses will be transmitted to the CBD electronically as described in FAR 5.207.

f. Contact with Firms. Requests for clarification of a synopsis and/or for additional information will be carefully handled to avoid providing any information that would give, or appear to give, an advantage to a firm in submitting their qualifications. A synopsis will be amended if additional information was given to any one firm or if the synopsis is found to be defective, and the response date appropriately extended.

¹ Certifications can still be considered when comparing personnel qualifications, in the same manner that advanced degrees, relevant training, experience and longevity with the firm are considered.

² Metric design is still not a common practice in the U.S. commercial market.

3-5. ACASS. ACASS is an automated database of A-E qualifications (blocks 1 - 10 of Standard Form (SF) 254, Architect-Engineer and Related Services Questionnaire), Department of Defense (DoD) A-E contract awards, and performance evaluations of A-E contractors. ACASS is the only authorized automated system for this A-E information in DoD. Appendix M provides

additional information on the background, regulatory authority, contents and use of ACASS. ACASS is part of the Contractor Appraisal Information Center maintained by the Portland District.

3-6. Board Membership. A-E evaluation boards should be constituted as follows based on the requirements in FAR 36.602-2(a) and EFARS 36.602-2(a).

a. General Requirements. The chairperson will appoint voting members with appropriate expertise from the approved list of eligible personnel, or who meet the qualifications for voting members established by the commander. Each board must have at least three voting members. A majority of the voting members must be USACE personnel. Appropriately qualified technical personnel from the functional element requesting the services should be represented as a voting member(s). Where practical, a voting representative from the cognizant Construction Division will participate on an evaluation board for an A-E contract for the design of a specific construction project. There is no regulatory restriction on a Government employee serving on an evaluation board for an A-E contract and later participating the negotiation and/or administration of that contract. However, the KO may impose such restrictions if necessary to ensure the integrity of the system of checks and balances.

b. Member Qualifications. Evaluation boards will be composed of highly qualified professional employees having collective experience in architecture, engineering, construction, and acquisition, as well as the specific type of work being contracted. A board will consist primarily of architects, engineers and/or land surveyors, as appropriate for the type of work. However, personnel in other disciplines may be voting members to provide specialized expertise when needed. The chairperson will be a USACE Engineering Division employee, and be a registered or licensed engineer, architect or land surveyor, as appropriate for the type of work. Professional registration of other board members is encouraged. All board members will comply with the procurement integrity requirements of FAR 3.104. Additional board membership requirements are:

(1) Preselection Board. A chairperson will be at least a section chief or have equivalent technical experience, and have considerable experience on A-E evaluation boards. A majority of the voting members will have experience on A-E evaluation boards.

(2) Selection Board. A chairperson will be at least a branch chief or have equivalent technical experience, and have extensive experience on A-E evaluation boards. A majority of the voting members will have experience on A-E evaluation boards. A person may serve as a voting member on both the preselection and selection boards for the same contract.

(3) Partner/Customer Representative(s). In accordance with EFARS 36.602-2(a), Federal and non-Federal partners/customers will be invited to nominate qualified representatives as members of the A-E evaluation boards for their projects, when practical. Voting and non-voting representative(s) shall be submitted to the respective evaluation board chairperson for approval. Voting representative(s) must meet the same qualifications as USACE personnel. Specifically, they must have the appropriate background to knowledgeably evaluate the experience and qualifications of A-E firms in the required type of work.

(4) Boards for Surveying and Mapping Services. For contracts principally for real property surveys, topographic or photogrammetric mapping, hydrographic surveying, or geodetic surveying, the majority of the voting members shall have specialized and current experience in performing or supervising the required type(s) of work. At least one licensed land surveyor shall be included as a voting member on boards for contracts principally for real property surveys or where state laws require certain surveying and mapping work to be performed by a licensed surveyor. When a command does not have adequate expertise to properly staff an evaluation board for a surveying and mapping contract, technical assistance shall be obtained from other USACE commands, other Federal agencies, or non-Federal partners or customers.

3-7. Selection Criteria.

a. Regulatory Requirements. FAR 36.602-1(a) and DFARS 236.602-1(a)(6) specify the

general A-E selection criteria. DFARS 236.602-1(a)(6) emphasizes that "the primary factor in A-E selection is the determination of the most highly qualified firm," and that secondary factors should not be given greater significance than technical qualifications and past performance.

b. Specific Project Criteria. DFARS 236.602-1(a)(i) requires that a synopsis state the order of importance of the selection criteria and that the criteria be project specific. Specific project criteria should be stated in the context of the general FAR and DFARS criteria, as illustrated in Appendices K and L. Reference to CBD Numbered Note 24 (listed in the CBD Reader's Guide in all Monday editions) is not a sufficient description of project selection criteria.

c. Application of Selection Criteria. Boards will evaluate firms' qualifications strictly on the basis of the announced selection criteria and their stated order of importance. The criteria will be applied as follows:

(1) Primary Selection Criteria. The following criteria are primary and will be applied by a preselection board to determine the highly qualified firms and by a selection board to determine the most highly qualified firms. The primary criteria are listed in the order of importance which is usually most appropriate, however they may be ordered differently as warranted for specific contracts.

(a) Specialized Experience and Technical Competence (FAR 36.602-1(a)(2)). A board will evaluate the specialized experience on similar projects³ and the technical capabilities (such as design quality management procedures, CADD, equipment resources, and laboratory requirements) of the prime firm and any subcontractors. Evaluate, where appropriate, experience in energy conservation, pollution prevention, waste reduction, and the use of recovered materials. The effectiveness of the proposed project team

³ General experience working for certain customers, such as DoD, Army, Air Force or USACE, is not an appropriate selection criteria. Instead, the selection criteria should address experience in certain types of projects or work, and knowledge of essential laws, regulations and/or criteria.

(including management structure; coordination of disciplines, offices and/or subcontractors; and prior working relationships) will also be examined.

(b) Professional Qualifications (FAR 36.602-1(a)(1)). A board will evaluate, as appropriate, the education, training, registration, certifications (see paragraph 3-4.d(4)), overall and relevant experience, and longevity with the firm of the key management and technical personnel. This criterion is primarily concerned with the qualifications of the key personnel and not the number of personnel, which is addressed under the capacity criterion. The lead designer in each discipline must be registered as required by FAR 36.609-4 and 52.236-25, but does not have to be registered in the particular state where the project is located.

(c) Past Performance (FAR 36.602-1(a)(4)).

- ACASS is the primary source of information on past performance (DFARS 236.602-1(a)(4)). ACASS will be queried for all prime firms. Performance evaluations for any significant subcontractors may also be considered. Any credible, documented information on past performance should be considered, but a board is not required to seek other information on the past performance of a firm if none is available from ACASS. However, do not use any adverse performance information which a firm has not had an opportunity to comment on. Also, complete evaluations, and not summaries, will be reviewed if a board is considering downgrading or eliminating a firm due to adverse past performance evaluations.

- A board will consider the relevancy of each performance evaluation to the proposed contract, including the type of work, contract or task order value, performing office, recentness, and general trends in a firm's performance. A firm that has earned excellent evaluations on recent DoD A-E contracts for similar projects will be ranked relatively higher on past performance (DFARS 236.602-1(a)(6)(B)). If no relevant past performance information is available on a firm, the firm will be given a neutral evaluation regarding past performance.

(d) Capacity (FAR 36.602-1(a)(3)).

- A board will consider a firm's experience with similar size projects and the available capacity

of key disciplines when evaluating the capacity of a firm to perform the work in the required time. Consider the full potential value of any current ID contracts that a firm has been awarded when evaluating capacity.

- Since it may be difficult for a firm to accurately predict required staffing based on the information in a synopsis, a firm should not be disqualified or downgraded because of its proposed number of personnel for a project shown in Block 4 of the SF 255. Instead, a board should consider the total strength of the key disciplines in the prime firm and its consultants in the offices proposed to perform the work in relationship to the firms' current workloads.

(e) Knowledge of the Locality (FAR 36.602-1(a)(5)). Consider knowledge of the locality separately from geographic proximity, since the latter is a secondary criterion in accordance with DFARS 236.602-1(a)(6). (A firm may not be located close to a project but still be familiar with certain site conditions.) Examples include knowledge of geological features, climatic conditions or local construction methods that are unusual or unique.

(2) Secondary Selection Criteria. The secondary criteria will not be applied by a preselection board, and will only be used by a selection board as a "tie-breaker" (see paragraph 3-10.e), if necessary, in ranking the most highly qualified firms. The secondary criteria will not be commingled with the primary criteria in any type of scoring or evaluation system⁴. The secondary criteria are listed in the order of importance which are usually most appropriate for USACE contracts.

(a) SB and SDB Participation (DFARS 236.602-1(a)(6)(C)). The extent of participation of SB, SDB, historically black colleges and universities (HBCU), and minority institutions (MI) will be measured as a percentage of the total anticipated contract effort, regardless of whether the SB, SDB, HBCU or MI is a prime contractor, subcontractor, or

joint venture partner; the greater the participation, the greater the consideration⁵.

(b) Geographic Proximity (FAR 36.602-1(a)(5)). Proximity is simply the physical location of a firm⁶ in relation to the location of a project, and has very little to do with the technical ability of a firm to perform the project. Hence, proximity should normally only be used as a selection criterion for small or routine projects or ID contracts in support of a specific installation(s).

(c) Volume of DoD Contract Awards (DFARS 236.602-1(a)(6)(A)).

- DFARS states "do not reject the overall most highly qualified firm solely in the interest of equitable distribution of contracts." Hence, equitable distribution of DoD contracts must be treated as a secondary criterion. DoD A-E contract awards can be obtained from ACASS, and verified and updated during the interviews with the most highly qualified firms. The synopsis may also request firms to submit DoD contract award data in block 10 of the SF 255. Only consider awards of A-E contracts. Include awards to all branch offices of a company, except as indicated in DFARS 236.602-1(a)(6)(A)(2).

- For ID contracts, consider the total value of task orders actually issued by agencies in the last 12 months, and not the potential value of the contracts. For all types of contracts, do not consider options that have not been exercised.

⁵ A subcontracting plan, in accordance with FAR 19.704 and 52.219-9, should not be requested from each firm which responds to a synopsis. This would be burdensome, as well as impractical since the firms do not have a complete statement of work at this point. Prime A-E firms can, however, be asked to indicate the estimated percentage involvement of each SB and SDB firm on the team. A formal subcontracting plan is only required from the firm selected for negotiations.

⁴ If the criteria were commingled, a firm could be selected that was not the best qualified technically, but received high consideration on the secondary criteria. This outcome would be contrary to the intent of the Brooks A-E Act.

⁶ When multiple offices of the prime firm and/or subcontractors will be involved in the performance of a project, consider the weighted distance from the project based on the relative amount of participation of each performing office.

3-8. General Procedures for Evaluation Boards.

a. Information Used by Boards. Boards will only consider the following information: SF 254, as submitted or from ACASS; SF 255, with any required supplemental information; documented performance evaluations, such as from ACASS; DoD contract award data; and the results of interviews of the most highly qualified firms. A board will not assume qualifications which are not clearly stated in a firm's submission or available from ACASS. A board will review the entire submission of each firm and not excerpts or summaries. A firm will not be contacted to clarify or supplement its submission, except during the interviews with the most highly qualified firms (see paragraph 3-10.d). Boards shall not consider any cost factors.

b. A-E Submissions.

(1) A-E submissions shall be handled by the Government in accordance with FAR 15.207 and 15.208, including the late proposal rules in FAR 15.208. A firm will not be considered if block 11 of its SF 255 is not signed, unless the SF 255 is accompanied with a signed cover letter or a current signed SF 254. If a firm does not submit a SF 254 with its SF 255, or have one on file in ACASS, it will not be considered (FAR 36.603(b)). ACASS qualification data will be used, if available, if a firm does not submit a SF 254 with its SF 255, even if a SF 254 was requested in the synopsis.

(2) Although firms are encouraged to update their SF 254 at least annually (FAR 36.603(d)(1)), older ones (up to 3 years old in accordance with FAR 36.603(d)(5)) must still be considered by a board. A firm may not be eliminated simply for failing to submit certain information or for altering the format of a SF 254 or SF 255. However, a firm may be recommended as not qualified or ranked low if missing, confusing, conflicting, obsolete or obscure information prevents a board from reasonably determining that a firm demonstrates certain required qualifications.

c. Small Business Status. If a contract has been set aside for small business in accordance with FAR 19.5, the preselection board must check that each prime firm has certified itself as a small business on the SF 254. The board must also be aware that there is a limitation on subcontracting

whereby "at least 50% of the cost of contract performance incurred for personnel" must be expended for employees of the prime firm as required by FAR 19.508(e) and 52.219-14. Any questions will be referred to the DSB and the Contracting Directorate/Division.

d. Evaluation Methods. Preselection and selection boards may use either a qualitative or quantitative method to evaluate firms.

(1) Qualitative Method. Using this method, a board compares the qualifications of the firms by iterative discussions, considering the relative importance of each selection criterion. By consensus, the board progressively eliminates the lesser qualified firms and agrees on the basis for elimination.

(2) Quantitative Method. Using this method, a board establishes a numerical scoring system in accordance with the order of importance of the selection criteria (see Appendix N for example), and evaluates the firms accordingly. The relative ranking of the firms according to total scores must represent a consensus; individual scores must not be simply averaged to produce a consensus score. The board report must explain the scoring system.

e. Reports. The documentation must reflect the final consensus of a board. If preliminary (such as prior to board discussions or interviews) or individual evaluations are included, the report must discuss how any significant differences among the evaluations were resolved. Handwritten worksheets are acceptable. The cover and each page of the report containing source selection information will be labeled "SOURCE SELECTION INFORMATION - SEE FAR 3.104" and be protected as required by FAR 3.104-5.

3-9. Preselection Board.

a. General. Preselection boards are permitted by FAR 36.602-2(a) and authorized by DFARS 236.602-2(a). Preselection boards may be advantageous when many firms respond to a synopsis, but generally the use of only a selection board is faster and less costly. The purpose of a preselection board is to determine which firms are highly qualified and have a reasonable chance of being considered as most highly qualified by the

selection board (DFARS 236.602-2(a) and EFARS 36.602-2 (S-100)).

b. **Determination of Highly Qualified Firms.** Each firm will be completely evaluated, even if a firm does not demonstrate certain required qualifications. A firm may be evaluated by only one voting member. However, all evaluations will be discussed by the entire board and a consensus reached on each firm. The firms which demonstrate better aggregate qualifications relevant to the primary selection criteria are considered highly qualified. A preselection board will not consider any secondary selection criteria. A preselection board will not be restricted to a specific or maximum number of firms for referral to a selection board.

c. **Report.** A preselection board report will be prepared similar to Appendix O. The report must clearly identify the specific weak or deficient qualifications of each firm not recommended as highly qualified. The report will be provided to the selection board and made a part of the selection board's report. Separate approval of a preselection report is not required.

3-10. Selection Board.

a. **General.** The functions of a selection board are described in FAR 36.602-3. A selection board evaluates the highly qualified firms identified by the preselection board and recommends at least three firms considered to be most highly qualified, in order of preference. If a preselection board was not held, the initial phase of the selection board will be conducted and documented similar to a preselection board.

b. **Review of Preselection Report.** If a selection board considers the preselection board report inadequate, it will record the reasons and return the report to the preselection board for appropriate action. A selection board need not return the preselection report because it considers some of the firms to be less than highly qualified, provided a sufficient number of highly qualified firms remain.

c. **Determination of Most Highly Qualified Firms.** All voting members must personally evaluate the SFs 254 and 255 of all of the highly qualified firms. The firms which demonstrate

higher aggregate qualifications relevant to the primary selection criteria are considered to be the most highly qualified firms. Secondary selection criteria will not be considered in determining which firms are most highly qualified. At least three most highly qualified firms must be recommended⁷ if a single contract will be awarded. If more than one contract will be awarded from the same synopsis, sufficient firms must be recommended such that at least two most highly qualified firms remain "in reserve" when negotiations commence on the final contract.

d. Interviews.

(1) Interviews (discussions) will be held with all of the most highly qualified firms as required by FAR 36.602-3(c). All firms will be interviewed by the same method (telephone, video teleconference or in person). For a routine project, at least one voting member will conduct the interview. For a major project, the majority of the voting members will conduct the interview. For a very significant project, presentations by the firms are recommended, which should be attended by all voting members. Firms will be given sufficient advance notice to allow responsible representatives to participate in the interviews or presentations.

(2) All firms will be asked similar questions about their experience, capabilities, capacity, organization, management, quality control procedures, and approach for the project, as appropriate. All questions must relate to the announced selection criteria. Information obtained from an interview that influenced the final ranking will be documented in the selection report.

e. **Final Ranking of Most Highly Qualified Firms.** After the interviews or presentations, a board will rank the most highly qualified firms in order of preference using the primary selection criteria. If two or more firms are technically equal, the secondary criteria will be used as "tie-breakers." Firms are technically equal when there is no

⁷ If the selection board can not recommend at least three firms as required by the Brooks A-E Act, then the scope of the contract must be revised to increase competition and the contract synopsisized again.

meaningful difference in their aggregate qualifications relative to the primary criteria.

f. Report. A selection board report should be prepared in a format similar to Appendix P. The report must: clearly describe the reasons why each eliminated firm was less qualified than the most highly qualified firms, summarize the relative strengths of each most highly qualified firm with respect to the selection criteria, and clearly describe the rationale for the relative ranking of each firm.

3-11. Approval of Selections.

a. As permitted by DFARS 236.602-4(a), EFARS 36.602-4(a) delegates unlimited A-E selection approval authority to MSC commanders, who may redelegate this authority as appropriate for the dollar value and nature of various categories of A-E contracts. If a synopsis is for more than one contract, the level of selection approval authority will be determined by the greatest anticipated value of any one of the contracts (including all options), and not the aggregate value of all of the contracts. The concurrence of the Chief, Engineering Division and the District Commander or Deputy is required for district selections requiring MSC approval.

b. FAR 36.602-4 and DFARS 236.602-4 provide guidance if the selection authority does not agree with the recommendations of a selection board. All firms on an approved selection list are considered "selected" in accordance with FAR 36.602-4(b). Selection approval authorizes the initiation of negotiation, beginning with the highest qualified firm.

c. No contract may be awarded after one year from the closing date of a CBD synopsis unless justified in writing by the KO. The KO will consider whether the selected firms' qualifications and the specific A-E market are substantially unchanged since the selection.

3-12. Notifications.

a. Notifications of firms shall be made within 10 days after selection approval in

accordance with EFARS 36.607(a)⁸. No notifications will be made after a preselection board.

b. The notification shall indicate to the firm that it is the highest qualified, among the most highly qualified but not the highest qualified, or not among the most highly qualified firms. The notification will also inform each firm that it may request a debriefing, but must do so in writing or electronically within 10 days after receiving the notification. The identity of the firm (or firms if multiple awards will be made from one synopsis) selected for negotiations may be released after the selection report is approved (FAR 36.607(a)). Within 10 days after contract award, all remaining most highly qualified firms shall be so notified.

c. When an acquisition is canceled, notices will be sent to all firms that responded to the public announcement within 10 days of the cancellation. When an acquisition will be significantly delayed, notices will be promptly sent to all firms still being considered, giving the estimated award date.

3-13. Debriefings.

a. There are two main objectives for a debriefing. First, instill confidence in the debriefed firm that the selection was conducted fairly and objectively in accordance with the announced selection criteria. Second, provide the firm with specific information to allow it to improve its weak qualifications in order to better compete for future similar projects.

⁸ HQUSACE has determined that the time periods for notification and debriefing of firms in FAR 15.503 and 15.506 are impractical to follow for A-E contracts due to the large number of A-E selections annually and the heavy volume of responses to each synopsis. Hence, as permitted by FAR 15.502, the time periods have been reasonably modified for USACE A-E contracts. Also, the specific instruction in FAR 36.607(b) that the (notification and) debriefing of successful and unsuccessful A-E firms will be held after selection approval takes precedence over the instruction in FAR 15.5 that notification and debriefing will occur after contract award.

b. Unless impractical, debriefing of unsuccessful firms will be conducted within 14 days after receipt of a written request in accordance with FAR 15.506 (except 15.506(d)(2)-(d)(5)) and 36.607(b), and EFARS 36.607(b). A request under the Freedom of Information Act (FOIA; AR 25-55) will be immediately referred to the local FOIA officer.

c. Debriefings will be conducted by telephone or in person, as mutually agreed. Debriefings will be conducted by a USACE voting board member, preferably the chairperson, of the preselection or selection board, as appropriate. The debriefing will be based on the preselection or selection board report, as appropriate. The debriefing will summarize the significant weaknesses or deficiencies in a firm's qualifications (FAR 15.506(d)(1)). A firm's qualifications will not be compared point-by-point with those of any other specific firm, but with the other firms collectively (FAR 15.506(e)). Also, a firm's SFs 254/255 will not be revealed or given to any other firm (FAR 15.506(e) and 24.202(a)). The identity of the other firms considered, except the highest qualified firm, shall not be revealed.

3-14. Disposition of SFs 254 and 255. SFs 254 and 255 will be carefully safeguarded, and retained in accordance with EFARS 36.603(b). SFs 254 received by a USACE office will be promptly sent to ACASS if requested by a firm.

3-15. Special Cases.

a. Contract Actions Not Expected to Exceed \$100,000 (SAT). The short A-E selection processes in FAR 36.602-5 may be used. A purchase order, with the appropriate clauses for A-E services, may be used to simplify and expedite award instead of using SF 252, Architect-Engineer Contract.

(1) Contract Actions Expected to Exceed \$25,000 but not \$100,000. Synopsis in the CBD is required. The response period may be less than 30 days (FAR 5.203(d)); at least 10-15 days is recommended. If an insufficient number of qualified firms respond to the synopsis, other qualified firms may be identified from ACASS and any other means. These firms will be contacted about their interest, sent the synopsis, and requested to submit an updated SF 254 and possibly a SF 255 as

required by the selection board. The firms will be given a reasonable period to respond.

(2) Contract Actions Expected to Exceed \$10,000 but not \$25,000. Synopsis in the CBD is not required. Instead, an announcement containing information similar to a CBD synopsis will be posted in a public place at the contracting office (FAR 5.101(a)(2)). In addition to the firms that respond to the announcement, other firms may be identified and evaluated as described in paragraph 3-15.a(1).

(3) Contracts Not Expected to Exceed \$10,000. No public announcement is required. A reasonable number of qualified firms must be identified and evaluated as described in paragraph 3-15.a(1).

(4) Contracts Not Exceeding \$2,500. Contracts which do not exceed the micro-purchase threshold of \$2,500 may be procured using credit cards in accordance with EFARS 36.601-3(S-100) and 36.602-5(S-100).

b. NAF Contracts (AR 215-4).

(1) Public announcement is not required. If a contract is synopsisized in the CBD, it may be for less than 30 days. A list of qualified firms may be developed from: ACASS; recommendations of the installation, NAF sponsor, or professional societies; responses to a public announcement; or, any other appropriate source.

(2) Evaluation boards will be conducted and documented as described elsewhere in this pamphlet, except that the selection criteria will comply with AR 215-4. In particular, equitable distribution of DoD contracts and the extent of participation of SB, SDB, HBCU and MI are not used as selection criteria. Also, geographic proximity need not be treated as a secondary criterion. Normal selection approval procedures are followed.

c. Contracting with the Small Business Administration (FAR 19.8 and EFARS 19.802).

(1) A-E services may be procured through the SBA's 8(a) Program. USACE may request the names of 8(a) firms from SBA or recommend qualified 8(a) firms to SBA for approval. Firms present their qualifications using a SF 254, and a

SF 255 if required by the selection board. The qualifications of 8(a) firms will be reviewed and documented by USACE in accordance with FAR 36.602.

(2) Contracts of \$3,000,000 or less can be awarded through sole source procedures (FAR 19.805-1) and only one highly qualified firm need be considered. Contracts over \$3,000,000 are competitive; a selection board evaluates and ranks the qualified 8(a) firms and negotiations are initiated with the highest qualified firm. See paragraph 3-8.c on the limitation on subcontracting.

d. Unusual and Compelling Urgency (FAR 5.202(a)(2) and 6.302-2). If the conditions in FAR 6.302-2 are met, public announcement is not required. However, as many firms as is practical under the circumstances should be identified using the process described in paragraph 3-15.a(1). Normal selection and approval procedures are followed.

e. Work Contracted and Performed Outside the United States (FAR 5.202(a)(12)). If the contract action is awarded and performed outside of the United States, synopsis in the CBD is not required. Normal selection and approval procedures are followed. However, see the restriction in DFARS 236.602-70 on the award of overseas A-E contracts to foreign firms.

f. Medical Facilities. ER 1110-345-721 provides special requirements for the selection of A-E firms for medical and medical research facilities⁹. HQUSACE (ATTN: CEMP-EM) will be consulted in the preparation of synopses and the conduct of the evaluation boards. CEMP-EM will direct when negotiations may be initiated.

g. Design Competition (FAR 36.602-1(b)). The use of design competition shall be approved by HQUSACE (ATTN: CEMP-E).

h. Advance Selection Process. EFARS 36.602 (S-100) authorizes an advance A-E announcement and selection process if two or more A-E contracts for the same type of work are reasonably anticipated in a given period in a particular geographic area. Announcement and selection may be conducted prior to receiving specific authorization for any work of that type. Procedures for this process are provided in Appendix Q.

3-16. EP 715-1-4. This pamphlet describes the A-E contracting process in USACE and how firms may obtain consideration for contracts. This information is useful for firms seeking an A-E contract with USACE and should be widely distributed to the A-E community.

⁹ ER 1110-345-721 states that the selection board and selection approval for medical projects will be done at HQUSACE. These functions have since been delegated to the responsible design district by a change to EFARS 36.602-2(a) and 36.602-4(a).